

RECEIVED  
CENTRAL FAX CENTER  
AUG 22 2005

S/N 10/654,367

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	RABON ET AL.	Examiner:	C. BOYER
Serial No.:	10/654,367	Group Art Unit:	1751
Filed:	SEPTEMBER 2, 2003	Docket No.:	163.1436USD1
Confirmation No.:	4230	Customer No.:	23552
Title:	METHODS AND COMPOSITIONS FOR CLEANING, RINSING, AND ANTIMICROBIAL TREATMENT OF MEDICAL EQUIPMENT		

CERTIFICATE UNDER 37 CFR 1.64(d)

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on August 22, 2005.

By:

Name: Sheryl A. Borbom

TERMINAL DISCLAIMER TO OBVIATE  
A DOUBLE PATENTING REJECTION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Petitioner, Ecolab Inc., a corporation organized and existing under the laws of the State of Delaware and having its primary place of business at Ecolab Center, St. Paul, in the county of Ramsey, and the state of Minnesota represents that it is the owner of the entire right, title and interest in U.S. Patent Application Serial No. 10/654,367, filed on September 2, 2003 and entitled METHODS AND COMPOSITIONS FOR CLEANING, RINSING, AND ANTIMICROBIAL TREATMENT OF MEDICAL EQUIPMENT, by virtue of our assignment recorded at Reel 011914, Frame(s) 0083.

Petitioner, Ecolab Inc., hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,632,291 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S.

08/23/2005 FFAHREIA 00000056 132725 10654367

01 FC:1814 130.00 DA

Patent No. 6,632,291, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the full statutory term as presently shortened by any terminal disclaimer of United States Patent No. 6,632,291, in the event that United States Patent No. 6,632,291 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certification, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

For submissions on behalf of an organization (e.g. corporation, partnership, university, government agency, etc.), the undersigned (whose title is supplied below) is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Date: Aug 22, 2005

Mark T. Skoog  
Mark T. Skoog  
Reg. No. 40,178